

TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE



FISCAL MEMORANDUM

SB 1497 – HB 2230

April 2, 2014

SUMMARY OF ORIGINAL BILL: Broadens the ability of a medical examiner to obtain medical or hospital records relative to a case under investigation through a district attorney general. Extends the ability to obtain the records to medical investigators and coroners.

FISCAL IMPACT OF ORIGINAL BILL:

NOT SIGNIFICANT

SUMMARY OF AMENDMENTS (013224, 015705): Amendment 013224 deletes all language after the enacting clause.

Defines “authorized post-mortem official” to include a medical examiner, medical investigator, coroner, or a deputy/assistant medical examiner or forensic pathologist under the control of a medical examiner.

Authorizes an authorized post-mortem official, investigating pursuant to a court order or an order of a district attorney general, to obtain upon written request medical and hospital records from licensed individuals under Title 63 and medical facilities licensed under title 68.

Authorizes an authorized post-mortem official, investigating pursuant to a court order or an order of a district attorney general, to obtain by judicial subpoena or court order all medical and hospital records from medical facilities licensed under title 33.

Amendment 015705 adds “or may subpoena through the appropriate district attorney general” to (a) of Section 2 of Amendment 013224 relative to the methods by which a post-mortem official may obtain the medical or hospital records of an individual.

FISCAL IMPACT OF BILL WITH PROPOSED AMENDMENTS:

Unchanged from the original fiscal note.

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Assumptions for the bill as amended:

- According to the County Technical Assistance Service and the Municipal Technical Advisory Service, the proposed legislation will not significantly impact local governments.
- According to the District Attorneys General Conference, the proposed legislation will not significantly impact the State.

CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink, appearing to read 'Lucian D. Geise', written in a cursive style.

Lucian D. Geise, Executive Director

/trm